

**IN THE UNITED STATES DISTRICT COURT
OF THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION**

JERRY G. ANDERSON
Plaintiff

V.

**COMMISSIONER OF SOCIAL
SECURITY ADMINISTRATION**
Defendant

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No. 5:13CV127

**ORDER ADOPTING REPORT AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

The above-entitled and numbered civil action was heretofore referred to United States Magistrate Judge Caroline M. Craven pursuant to 28 U.S.C. § 636. The Report of the Magistrate Judge which contains her proposed findings of fact and recommendations for the disposition of such action has been presented for consideration. No objections to the Report and Recommendation were filed. The Court is of the opinion that the findings and conclusions of the Magistrate Judge are correct. Therefore, the Court hereby adopts the Report of the United States Magistrate Judge as the findings and conclusions of this Court. Accordingly, it is hereby

ORDERED that Defendant's Unopposed Motion for Remand (Dkt. No. 10) is hereby **GRANTED**. It is further

ORDERED that Plaintiff's above-entitled and numbered civil action is **REVERSED and REMANDED** under the fourth sentence of the Social Security Act, 42 U.S.C. § 405(g), to the Commissioner of the Social Security Administration for further administrative proceedings before an Administrative Law Judge ("ALJ"). It is further

ORDERED that on remand an ALJ will update the treatment evidence on the claimant's medical conditions; if warranted, obtain evidence from a medical expert to clarify the nature and

severity of the claimant's impairments; and further evaluate whether the claimant has a severe impairment or combination of impairments at step two under the standard set forth in *Stone v. Heckler*, 752 F.2d 1099 (5th Cir. 1985). Additionally, the ALJ will expressly evaluate the treating, examining, and non-examining medical source opinions in the record, and explain the reasons for the weight he gives to their opinion evidence. If warranted, the ALJ shall consider the claimant's residual functional capacity on the updated record, citing specific evidence in support of the assessed limitations; and, if warranted, consider whether the claimant has past relevant work he could perform with the limitations established by the evidence. Finally, the ALJ, as appropriate, shall secure supplemental evidence from a vocational expert to clarify the effect of the assessed limitations on the claimant's occupational base. It is further

ORDERED that all motions not previously ruled on are **DENIED**, and the referral order is **VACATED**.

It is SO ORDERED.

SIGNED this 4th day of September, 2014.


MICHAEL H. SCHNEIDER
UNITED STATES DISTRICT JUDGE